

(19) World Intellectual Property  
Organization  
International Bureau



(43) International Publication Date  
9 October 2003 (09.10.2003)

PCT

(10) International Publication Number  
**WO 2003/083102 A3**

(51) International Patent Classification<sup>7</sup>: **C12N 9/16**,  
C12Q 1/42, G01N 33/574, C12Q 1/68, G01N 33/573,  
A61K 49/00

(21) International Application Number:  
PCT/CA2003/000393

(22) International Filing Date: 19 March 2003 (19.03.2003)

(25) Filing Language: English

(26) Publication Language: English

(30) Priority Data:  
60/368,859 28 March 2002 (28.03.2002) US

(71) Applicant (*for all designated States except US*):  
**KINETEK PHARMACEUTICALS, INC.** [CA/CA];  
1779 West 75th Avenue, Vancouver, British Columbia  
V6P 6P2 (CA).

(72) Inventor; and

(75) Inventor/Applicant (*for US only*): **DELANEY, Allen, D.**  
[CA/CA]; 1633 West 65th Avenue, Vancouver, British Co-  
lumbia V6P 2R2 (CA).

(74) Agent: **SMART & BIGGAR**; Kingwell, Brian, G., Box  
11560, Vancouver Centre, Suite 2200, 650 West Georgia  
Street, Vancouver, British Columbia V6B 4N8 (CA).

(81) Designated States (*national*): AE, AG, AL, AM, AT, AU,  
AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU,  
CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH,  
GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC,  
LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW,  
MX, MZ, NI, NO, NZ, OM, PH, PL, PT, RO, RU, SC, SD,  
SE, SG, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US,  
UZ, VC, VN, YU, ZA, ZM, ZW.

(84) Designated States (*regional*): ARIPO patent (GH, GM,  
KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW),  
Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM),  
European patent (AT, BE, BG, CH, CY, CZ, DE, DK, EE,  
ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO,  
SE, SI, SK, TR), OAPI patent (BF, BJ, CF, CG, CI, CM,  
GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

**Published:**

- with international search report
- before the expiration of the time limit for amending the  
claims and to be republished in the event of receipt of  
amendments

(88) Date of publication of the international search report:  
22 April 2004

*For two-letter codes and other abbreviations, refer to the "Guid-  
ance Notes on Codes and Abbreviations" appearing at the begin-  
ning of each regular issue of the PCT Gazette.*

(54) Title: CANCER ASSOCIATED PROTEIN PHOSPHATASES AND THEIR USES

(57) Abstract: Detection of expression of the provided phosphatases in cancers is useful as a diagnostic, for determining the ef-  
fectiveness of drugs, and for determining patient prognosis. The encoded polypeptides further provide a target for screening phar-  
maceutical agents effective in inhibiting the growth or metastasis of tumor cells. The present invention further provides methods  
and compositions relating to agents that specifically bind to MKPX, PTP4A1, PTPN7, FEM-2, DKFZP566K0524 or FLJ20313 for  
treatment and visualization of tumors in patients.

WO 2003/083102 A3

# INTERNATIONAL SEARCH REPORT

International Application No

PCT/ 3/00393

## A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C12N9/16 C12Q1/42 G01N33/574 C12Q1/68 G01N33/573  
A61K49/00

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C12N C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, Sequence Search, CHEM ABS Data

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 01/012819 A (PLOWMAN GREGORY D ;LIOUBIN MARIO (US); SUGEN INC (US); WHYTE DAVID) 22 February 2001 (2001-02-22) page 107, line 24 - page 110, line 15; claims 1-23; figure 3 -----	1-59
X	WO 01/002581 A (CEPTYR INC ;LUCHE RALF M (US); WEI BO (US)) 11 January 2001 (2001-01-11) SEQ ID NO:2 -----	1-59
X	WO 01/002582 A (CEPTYR INC ;LUCHE RALF M (US); WEI BO (US)) 11 January 2001 (2001-01-11) SEQ ID NO:2; Example 2; page 2, line 17 - page 8; page 43, lines 7 et seq.; claims 1- 98 -----	1-59

☐ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

### \* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

10 November 2003

Date of mailing of the international search report

04. 03. 2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
NL - 2280 HV Rijswijk  
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  
Fax: (+31-70) 340-3016

Authorized officer

Thiele, U

# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/CA 03/00393

## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:  
Although claims 7-11, 17-27, 37-40 and 43-59 are directed to a method of treatment of the human/animal body by therapy, diagnosis and surgery, the search has been carried out and based on the alleged effects of the compound/composition..
2. ☐ Claims Nos.:  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:  
1-59 (part)

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-59(part)

Inventions relying on the polypeptide having the amino acid sequence set forth in SEQ ID NO:1 or on the nucleic acid sequence comprising the sequence set forth in SEQ ID NO: 2; methods of screening for biologically active agents that modulate a cancer associated phosphatase function; methods for diagnosis of cancer; methods for inhibiting the growth of a cancer cell; methods of screening for targets of a cancer associated phosphatase; methods to treat a tumour; compounds for the treatment of a tumour; methods for visualizing a tumour in a patient

---

2. claims: 1-59(part)

Inventions relying on the polypeptide having the amino acid sequence set forth in SEQ ID NO:3 or on the nucleic acid sequence comprising the sequence set forth in SEQ ID NO:4; methods of screening for biologically active agents that modulate a cancer associated phosphatase function; methods for diagnosis of cancer; methods for inhibiting the growth of a cancer cell; methods of screening for targets of a cancer associated phosphatase; methods to treat a tumour; compounds for the treatment of a tumour; methods for visualizing a tumour in a patient

---

3. claims: 1-59(part)

Inventions relying on the polypeptide having the amino acid sequence set forth in SEQ ID NO:5 or on the nucleic acid sequence comprising the sequence set forth in SEQ ID NO:6; methods of screening for biologically active agents that modulate a cancer associated phosphatase function; methods for diagnosis of cancer; methods for inhibiting the growth of a cancer cell; methods of screening for targets of a cancer associated phosphatase; methods to treat a tumour; compounds for the treatment of a tumour; methods for visualizing a tumour in a patient

---

4. claims: 1-59(part)

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Inventions relying on the polypeptide having the amino acid sequence set forth in SEQ ID NO:7 or on the nucleic acid sequence comprising the sequence set forth in SEQ ID NO:8; methods of screening for biologically active agents that modulate a cancer associated phosphatase function; methods for diagnosis of cancer; methods for inhibiting the growth of a cancer cell; methods of screening for targets of a cancer associated phosphatase; methods to treat a tumour; compounds for the treatment of a tumour; methods for visualizing a tumour in a patient

---

## 5. claims: 1-59(part)

Inventions relying on the polypeptide having the amino acid sequence set forth in SEQ ID NO:9 or on the nucleic acid sequence comprising the sequence set forth in SEQ ID NO:10; methods of screening for biologically active agents that modulate a cancer associated phosphatase function; methods for diagnosis of cancer; methods for inhibiting the growth of a cancer cell; methods of screening for targets of a cancer associated phosphatase; methods to treat a tumour; compounds for the treatment of a tumour; methods for visualizing a tumour in a patient

---

## 6. claims: 1-59(part)

Inventions relying on the polypeptide having the amino acid sequence set forth in SEQ ID NO:11 or on the nucleic acid sequence comprising the sequence set forth in SEQ ID NO:12; methods of screening for biologically active agents that modulate a cancer associated phosphatase function; methods for diagnosis of cancer; methods for inhibiting the growth of a cancer cell; methods of screening for targets of a cancer associated phosphatase; methods to treat a tumour; compounds for the treatment of a tumour; methods for visualizing a tumour in a patient

---

# INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/03/00393

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 0112819	A	22-02-2001	AU 6903800 A	13-03-2001
			CA 2377662 A1	22-02-2001
			EP 1212433 A2	12-06-2002
			JP 2003507016 T	25-02-2003
			WO 0112819 A2	22-02-2001
WO 0102581	A	11-01-2001	AU 4206700 A	23-10-2000
			AU 4367600 A	22-01-2001
			AU 5783800 A	22-01-2001
			CA 2377670 A1	11-01-2001
			EP 1196598 A1	17-04-2002
			JP 2003525027 T	26-08-2003
			WO 0060092 A2	12-10-2000
			WO 0102581 A1	11-01-2001
			WO 0102582 A1	11-01-2001
WO 0102582	A	11-01-2001	AU 4206700 A	23-10-2000
			AU 4367600 A	22-01-2001
			AU 5783800 A	22-01-2001
			CA 2377670 A1	11-01-2001
			EP 1196598 A1	17-04-2002
			JP 2003525027 T	26-08-2003
			WO 0060092 A2	12-10-2000
			WO 0102581 A1	11-01-2001
			WO 0102582 A1	11-01-2001